

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

KYLE E. EASTERLY,

Defendant.

Case No. 16-cr-40012-JPG-001

**MEMORANDUM AND ORDER**

This matter comes before the Court on defendant Kyle E. Easterly's motion for free copies of his plea agreement, docket sheet, and indictment (Doc. 314).

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requester to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Easterly has not attempted to show that he has sought these documents from counsel in

his criminal case, that he is financially unable to pay for the cost of the documents, or that he needs these documents for a specific non-frivolous court action. For these reasons, the Court **DENIES** Easterly's motion **without prejudice** to another motion making the requires showing (Doc. 314).

**IT IS SO ORDERED.**

**DATED: October 24, 2023**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**